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United Nations reform: measures and proposals

Proposed programme budget for the biennium 2008-2009

Human resources management

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Human resources management

Fifteenth report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 2008-2009

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the following reports of the Secretary-General on human resources management:

(a) Amendments to the Staff Rules (A/62/185);

(b) Practice of the Secretary-General in disciplinary matters and possible criminal behaviour, 1 July 2006 to 30 June 2007 (A/62/186);

(c) Implementation of the mobility policy (A/62/215);

(d) Detailed proposals for streamlining United Nations contractual arrangements (A/62/274);

(e) Activities of the Ethics Office (A/62/285);

(f) Staffing of field missions, including the use of 300- and 100-series appointments (A/61/732);

(g) Report of the Joint Inspection Unit on staff mobility in the United Nations (A/61/806) and comments of the Secretary-General thereon (A/61/806/Add.1);

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(h) Human resources management reform: recruitment and staffing (A/61/822);

(i) Measures to address the imbalance in the geographical distribution of the staff in the Office of the United Nations High Commissioner for Human Rights (A/61/823);

(j) Civilian career peacekeepers (A/61/850);

(k) Harmonization of conditions of service (A/61/861);

(l) Special measures for protection from sexual exploitation and sexual abuse (A/61/957);

(m) Implementation of the Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials and Experts on Mission (A/61/1029).

The Committee also had before it the reports of the Secretary-General on the composition of the Secretariat (A/62/315) and the addendum to the report of the International Civil Service Commission (ICSC) for the year 2006 (A/61/30/Add.1).

2. Owing to a combination of factors, the Advisory Committee and the General Assembly find themselves considering major personnel proposals in a budget year, when they ordinarily would consider them in a non-budget year. A number of reports under consideration relate to requests by the Assembly for more detailed proposals following the major human resources reform initiative launched during the sixty-first session. The consideration of others was deferred from the sixty-first to the sixty-second session for a variety of reasons. Where appropriate, the Committee has recommended that decisions on a number of issues be deferred to the sixty-third session, when they can be considered in the context of the general review of human resources management issues that is carried out in off-budget years. In the present report, the Committee has sought to take a holistic approach to the major proposals concerning streamlining of contractual arrangements, harmonization of conditions of service in the field and the proposed cadre of 2,500 civilian peacekeepers. Those issues are grouped together in section II below.

II. Streamlining contractual arrangements, harmonization of conditions of service and civilian career peacekeepers

Streamlining contractual arrangements

3. The report of the Secretary-General on streamlining contractual arrangements (A/62/274) was submitted in response to a request by the General Assembly for a detailed road map on the implementation of the proposed contractual arrangements (resolution 61/244, sect. VI, para. 5). As also requested by the Assembly, the Secretary-General addresses the conclusions and recommendations contained in paragraphs 49 to 56 of the report of the Advisory Committee on the matter (A/61/537). Moreover, the report of the Secretary-General takes into account the observations of ICSC (A/61/30/Add.1) and includes additional elements arising from consultations with staff representatives at the twenty-eighth session of the Staff-Management Coordination Committee, held from 25 June to 4 July 2007. For its consideration of this matter, the Committee also had before it the report of the

Secretary-General on staffing of field missions, including the use of 300- and 100-series appointments (A/61/732).

4. The Secretary-General has proposed streamlining contractual arrangements under one set of rules, arguing that a single series of rules would promote the equitable treatment of staff members by ensuring that their conditions of service are governed by the same criteria and that the introduction of one set of rules would simplify the Organization's contractual framework, making it easier and more cost-efficient to administer and more transparent for staff members (see A/62/274, paras. 16-17). Moreover, it would, in his view, facilitate the development and implementation of the future enterprise resource planning system. The Secretary-General outlines the details of the three types of appointment proposed, as summarized below.

Temporary appointments

5. The Secretary-General proposes that temporary appointments be used to appoint staff for seasonal or peak workloads and specific short-term requirements for a period of up to one year at a time (see A/62/274, para. 26). Taking into account concerns expressed by ICSC (see A/61/30/Add.1, para. 18), the Secretary-General has proposed that such appointments may be renewed for up to an additional year in the field where warranted by operational needs. **The Advisory Committee recommends approval of the Secretary-General's proposal.**

Fixed-term appointments

6. As indicated in the report of the Secretary-General, fixed-term appointments could be for a period of one year or more and could be renewed or extended to cover a period of up to five years (see A/62/274, para. 28). Staff entering the Organization would be subject to a probationary period during the first year of service. It is envisaged that staff members who had completed five years of continuous service would be considered for continuing appointments.

7. ICSC notes that the Secretary-General's original proposal provided for limiting fixed-term appointments to specific missions or projects. In the Commission's view, the mission-specific appointment is not an effective tool when there is an expectation of mobility and an operational requirement for a global workforce (see A/61/30/Add.1, para. 16). Taking those concerns into account, the Secretary-General proposes that contracts of international staff serving in United Nations peace operations no longer carry a limitation for service to a specific mission (see A/62/274, para. 30). **As such a change would facilitate the deployment of staff where they are needed, the Advisory Committee recommends approval of the Secretary-General's proposal.**

8. ICSC points out that "the limitation of five years on the fixed-term appointment reduces management's flexibility to assign staff in accordance with the needs of the Organization" (A/61/30/Add.1, para. 15). In response to that concern, the Secretary-General proposes that international staff in United Nations peace operations who are not part of the proposed 2,500 international career staff and who demonstrate the highest standards of efficiency, competence and integrity should normally be granted extensions of fixed-term appointments of up to two years that would not be limited to service at any particular mission in order to meet the identified operational requirements of United Nations peace operations. Such staff

could remain on fixed-term appointments as long as their services were needed, whereas in other cases, extensions beyond five years could be granted, but not to exceed one year (A/62/274, paras. 33-34). The funds and programmes would have the flexibility to extend fixed-term appointments beyond five years in accordance with their operational mandates (A/62/274, para. 35).

9. Upon enquiry, it was clarified to the Advisory Committee that the Secretary-General's intention was that there would be no cap on the number of extensions of fixed-term appointment that could be granted to international staff in peace operations or on the total number of years such staff could serve on a fixed-term appointment as long as their services were still needed. Rather, each extension of fixed-term appointment for such staff should be for a period not to exceed two years. **The Committee recommends that international staff on fixed-term appointments in United Nations peace operations who demonstrate the highest standards of efficiency, competence and integrity be granted extensions (of up to two years for each extension) that would not be limited to service at any particular mission, for as long as their services are needed. Extensions could be granted in other cases, but not to exceed one year (see also paras. 14-15 below).**

Continuing appointments

10. Under the Secretary-General's proposals, staff with five years of continuous service in the Organization would be considered for a continuing appointment, which would be granted if there were a continuing need for the services of the staff member and if the staff member had demonstrated the highest standards of efficiency, competence and integrity.

11. ICSC has expressed concern regarding the need for competition in the granting of continuing appointments, stating that the Secretary-General's proposal was "tantamount to automatic conversion because there is no competition, no limit on the number of conversions and essentially everyone would meet the criteria for conversion" (A/61/30/Add.1, para. 9). The Secretary-General asserts that this would already be addressed by the Organization's staff selection process, at the point of recruitment or when moving to another post within the Organization. Upon enquiry, representatives of ICSC explained to the Advisory Committee that the Commission envisaged a rigorous review when staff were considered for conversion.

12. **The Advisory Committee shares the concern of ICSC that conversion should not be automatic. The Committee therefore recommends that the Secretary-General develop procedures for rigorous review of both the performance of staff and the continuing need for functions, which would be used in deciding whether to grant a continuing appointment, and report on progress made to the General Assembly at its sixty-third session. The Committee also recommends that, in order to be considered for a continuing appointment, staff members should have a minimum of five years of continuous service.**

13. **The Advisory Committee considers that a prudent approach will be required with regard to the number of conversions. In this connection, the Committee recalls that there had been a ceiling for permanent appointments: by section V, paragraph 2, of its resolution 51/226, the General Assembly requested the Secretary-General to make efforts to achieve the level of 70 per cent of permanent appointments in posts subject to geographical distribution.**

In the Committee's view it will be for the Assembly to decide whether this concept should be applicable under the new contractual arrangements. The Committee therefore requests the Secretary-General to report on issues associated with the establishment of a ceiling in the context of his report to the Assembly at its sixty-third session on human resources management.

14. In his report on investing in people, the Secretary-General proposed that, depending on the needs of the Organization, continuing contracts could be limited to particular projects or missions in order to avoid the creation of undue expectations of long-term employment (see A/61/255, para. 244). ICSC disagrees with this concept, stating that continuing contracts should not be used when there is no expectation of long-term employment. As the Secretary-General is no longer proposing mission-specific appointments, this is no longer at issue.

15. In paragraph 48 of his report on streamlining contractual arrangements (A/62/274), the Secretary-General points out that staff who work in projects or entities with finite mandates would not be excluded from consideration for continuing appointments because it would not be consistent with the Organization's operational requirements and mobility policy to assess continuing need by reference to a particular mandate, function or post. Accordingly, he now proposes that staff working on projects could be granted a continuing appointment, which would be without limitation, provided there is a continuing need for the services of the staff member in the Organization. **The Advisory Committee recommends approval of this proposal for the reasons cited by the Secretary-General. For the same reasons, while the Committee does not recommend approval of the establishment of the cadre of 2,500 career peacekeepers (see para. 36 below), it recognizes that international staff working in peace operations should also be eligible for consideration for continuing contracts.**

16. As to locally recruited mission staff, the Secretary-General concurs with the Staff-Management Coordination Committee that the Organization has an obligation to offer both greater job security and end-of-mission termination benefits that will enable locally recruited mission staff to be gainfully employed or self-employed when a mission withdraws (see A/62/274, para. 47). Under the current system, a staff member whose fixed-term appointment is terminated before the expiration date specified in the letter of appointment is entitled to a termination indemnity in accordance with the schedule set out in paragraph (a) of annex III to the Staff Rules. Paragraph (d) of annex III to the Staff Rules stipulates, however, that no indemnity payments shall be made to a staff member who has a temporary appointment for a fixed term that is completed on the expiration date specified in the letter of appointment.

17. The Secretary-General proposes that those locally recruited staff members whose services continue to be needed beyond five years and who meet the applicable standards should be eligible to receive a continuing appointment. They would then receive termination indemnities commensurate with their length of appointment when their service ended, normally with the closure of the mission. The Secretary-General indicates that, as it is not known when individual peace operations will end, it is not possible to determine the costs associated with payment of termination indemnities. Upon request, the Advisory Committee was provided with indicative financial implications for the payment of termination indemnity to local staff in Kosovo (Serbia) if the mission were to close in April 2008, which are

estimated at $11.9 million for 1,953 staff. As noted in paragraph 16 above, should the services of the local staff end on the same date as the expiry of their appointment, no termination indemnity would be payable and, in this case, there would be no financial implications.

18. **The Advisory Committee is not convinced that termination payments for locally recruited mission staff should be linked to their type of appointment. The Committee recommends that ICSC undertake an analysis of this matter and report thereon to the General Assembly by the sixty-third session.**

19. The Secretary-General has proposed that staff recruited through the national competitive examination be offered fixed-term appointments with consideration for continuing appointment after five years. In this regard, ICSC has highlighted the positive impact of the examination on gender balance and geographical distribution. It has expressed concern that the Secretary-General's proposal could lead to a decline in the rate of acceptance by national competitive examination candidates of employment with the United Nations and recommends instead that such candidates be considered for continuing appointment after two years. The Advisory Committee notes, as indicated in paragraph 50 of the Secretary-General's report (A/62/274), that one of the fundamental objectives of the proposal to streamline contractual arrangements is to enhance fairness and consistency in the treatment of staff, while also simplifying administration. In the Secretary-General's opinion, it is important to avoid creating different categories of staff members. He points out that staff members joining the Organization at higher levels enter through a competitive selection process, often bringing many years of proven professional experience to the job and he therefore maintains that all staff should be considered for conversion after five years of service. Upon enquiry, the Advisory Committee was informed that, under the Secretary-General's proposal, the process of consideration for continuing appointment for staff members recruited from the national competitive examination roster would be expedited by limiting the review to a determination of whether the staff member had demonstrated the highest standards of efficiency, competence and integrity; all national competitive examination staff members would be deemed to meet the requirement of the need for their continued service in the Organization.

20. Under the current system, qualified national competitive examination candidates are placed on a roster and not guaranteed immediate placement against a post in the Organization. The waiting period for successful candidates on the roster is indefinite. In this connection, the Advisory Committee recalls paragraph 38 of General Assembly resolution 57/300, in which the Assembly shared the vision of the Secretary-General to foster excellence among United Nations staff, inter alia, by rejuvenation, while ensuring the highest standards of efficiency, competence and integrity, as well as equitable geographical representation and gender balance. In this regard, the Committee also recalls section III of resolution 61/244.

21. The Advisory Committee will revert to this matter in the context of its consideration of human resource management issues at the sixty-third session.

22. Under the Secretary-General's proposal, continuing contracts may be terminated "in the interest of the good administration of the Organization" (A/61/255, para. 249). In response to the Advisory Committee's request for clarification concerning a staff member's opportunity for redress in such a case, the Secretary-General indicates that

"the staff member concerned would be given the opportunity to review the recommendation and supporting documentation and to provide comments to the Assistant Secretary-General for Human Resources Management before a final decision was made. A decision by the Assistant Secretary-General for Human Resources Management to terminate a continuing appointment would constitute an administrative decision that is subject to appeal, pursuant to chapter XI of the Staff Rules. Under staff rule 111.2 (c) (i), a staff member may also request a suspension of action on the decision by writing to the Secretary of the Joint Appeals Board" (see A/62/274, para. 52).

23. As the Advisory Committee has noted, under the terms of staff regulation 9.1, paragraph (a), the Secretary-General may terminate the appointment of a staff member who holds a permanent appointment if such action would be in the interest of the good administration of the Organization and in accordance with the standards of the Charter, "provided that the action is not contested by the staff member concerned" (see A/61/537, para. 54). The staff member holding a continuing appointment would not be provided the opportunity to contest termination, but rather to "provide comments". **The Committee considers it imperative that rigorous procedures are in place for the review of both the performance of staff and the continuing need for functions when determining the termination of appointment of a staff member. Of equal importance is the need to ensure that staff can contest an envisaged termination internally before such action is taken. The Committee is aware that after termination the staff member would have recourse to the United Nations system of administration of justice. The Committee recommends that the General Assembly request the Secretary-General to report to the Assembly at its sixty-third session on the internal procedures developed.**

24. As indicated in paragraph 60 of the Secretary-General's report (A/62/274), financial implications would arise for the reappointment of international staff currently serving on appointments of limited duration to new appointments governed by the new United Nations contract, which would entail additional entitlements in the form of education grant, family-visit travel and repatriation grant. As at 30 June 2007, there were 3,339 international staff holding appointments of limited duration in field missions. The Secretary-General estimates that on the basis of current patterns of dependency and the marital status of staff, additional costs would amount to $23.7 million per annum — $19.9 million for 10 peacekeeping missions and $3.8 million for 9 special political missions.

Harmonization of conditions of service in the field

25. In line with recommendations of ICSC (see A/61/30/Add.1), the Secretary-General makes the following proposals in his report on harmonization of conditions of service (A/61/861):

(a) Harmonization of the designation of duty stations as family or non-family in accordance with the security phase decided by the Department of Safety and Security and the approach as applied by the Inter-Agency Committee on Field Duty Stations of the Human Resources Network of the United Nations System Chief Executives Board. As a result, 12 current special, non-family United Nations peace operations would be designated as family duty stations;

(b) The introduction of the special operations approach for all non-family duty stations that are designated by the Department of Safety and Security as phase III or higher. Under the special operations approach, a location near a non-family duty station with adequate medical, education and housing facilities is designated as the administrative place of assignment. The staff member receives the same compensation and benefits as those normally given to internationally recruited Professional staff assigned to family duty stations;

(c) Replacement of the occasional recuperation break with rest and recuperation break. In accordance with the recommendation of ICSC, travel for rest breaks would be paid to a designated location. Daily subsistence allowance would only be payable on an exceptional basis when the Organization is unable to provide travel or make arrangements for staff to travel to the approved location;

(d) Discontinuation of the use of 300-series appointments in non-family duty stations.

26. Financial implications, estimated at the time of preparation of the report of the Secretary-General (A/61/861), which assumed an earlier approval date, are set out in section VII of that report.

Civilian career peacekeepers

27. The report of the Secretary-General on civilian career peacekeepers (A/61/850) expands on the proposal set out in his report on investing in people (A/61/255/Add.1 and Corr.1) and responds to the request made by the General Assembly in its resolution 61/244, on the advice of the Advisory Committee, for a more complete analysis of the requirement for, as well as the management and operation of, the proposed 2,500 civilian career peacekeepers.

28. Section II of the report (A/61/850) describes the study undertaken by the Secretariat to identify the baseline capacity of 2,500, as well as the desirable mix of skills and grade levels. The annex to the report provides a breakdown by function and grade of the proposed 2,500 positions. Grade levels would fall primarily between the P-4 and D-1 levels and between the FS-5 and FS-7 levels. A number of P-2 and P-3 positions were included for the managed mobility of staff and for successful candidates from the national competitive examinations. Positions at the D-2 level and above are not included on the basis that such appointments are made by the Secretary-General. Also excluded are positions of seconded, active-duty military and police personnel serving on United Nations contracts, as well as the security, internal oversight and human rights occupational groups, as these staff members are managed by the Department of Safety and Security, the Office of Internal Oversight Services and the Office of the United Nations High Commissioner for Human Rights, respectively. The planned distribution of functions is as follows: 27 per cent in substantive areas, 28 per cent in administration and 45 per cent in logistics support (see A/61/850, annex).

29. The Secretary-General proposes that staff members be selected for career peacekeeping positions through the same competitive process applied in the recruitment of staff in the Secretariat. It is intended that the career civilian peacekeepers will be subject to rapid deployment at short notice to meet operational needs and subject to managed rotation between duty stations, and that this will be stipulated in both vacancy announcements and contracts. The civilian career

peacekeepers would also be eligible to participate in the Secretariat mobility programmes. As indicated in paragraph 21 of the report, when a career civilian peacekeeper leaves the cadre, a determination would be made as to whether the position should remain within the cadre. In addition, staff serving in peace operations who are not part of the cadre would be eligible to apply for a position as a career civilian peacekeeper, together with other United Nations personnel and external candidates, when the numbers fall below 2,500. The composition of the cadre would remain under continual review to ensure that it evolves so as to take into account changes in operational requirements (see A/61/850, para. 31).

30. As indicated in paragraph 39 of the report of the Secretary-General, there is no intention to add to existing staffing levels. The proposal is to finance the 2,500 career civilian peacekeepers through existing authorized positions in United Nations peace operations.

Conclusion

31. **In considering the interrelated issues of streamlining contractual arrangements, harmonization of conditions of service and the civilian career peacekeeping cadre, the Advisory Committee has sought to take a holistic view, keeping in mind the problems that the Secretary-General is attempting to address with his reform proposals. These include, among other things, problems with staff retention in peace operations owing to the four-year limit on 300-series appointments; differing conditions of service for staff; the inability, under the current arrangements, to move staff from mission to mission as operational requirements change; the complexity of administering the current contractual framework; and the need to offer staff in peace operations a career development path.**

32. **In the Advisory Committee's view, the Secretary-General's proposal for streamlining contractual arrangements represents a fundamental change that addresses many of the problems cited above. Therefore, subject to its observations and recommendations in the foregoing paragraphs, the Committee recommends approval of the Secretary-General's proposals to streamline contractual arrangements under one set of Staff Rules, to be phased in according to the plans outlined in section IV of his report (A/62/274). In the Committee's opinion, this measure, together with the elimination of mission-specific appointments and the granting of continuing appointments for staff working in peace operations and on projects, as well as the Committee's recommendations on conditions of service (see para. 34 below), if well administered, will do much to facilitate staff mobility, promote career development for all staff and foster the development of a truly global workforce that can be managed flexibly to meet operational and organizational needs.**

33. The Advisory Committee points out, however, that, even with the institution of one staff contract, international staff detailed from a headquarters duty station to serve in a peace operation in some cases may continue to have better conditions of service than their counterparts who have been hired in the field. Upon request, the Committee was provided with tables showing sample comparisons of compensation for mission appointees and Headquarters staff on assignment to family and non-family duty stations (see annex to the present report). Furthermore, the Committee notes that under the provisions of administrative instruction ST/AI/404,

staff members on mission detail have a two-year lien against their post at the parent duty station. **The Committee is concerned about two phenomena: (a) the question of the duration for which staff on assignment from established duty stations continue to receive compensation that is linked to their employment in the established duty station; and (b) the inconsistency of the lien concept with the "fundamental principle of the organizational mobility policy [which] is that staff members are not tied to their posts" (see A/62/274, para. 48). The Committee believes that these two points will need to be addressed as soon as possible. It therefore recommends that the Secretary-General submit proposals in this regard to the General Assembly at its resumed sixty-second session.**

34. **As to the Secretary-General's proposals to harmonize conditions of service, the Advisory Committee recommends approval of the proposal to harmonize the designation of duty stations as family or non-family in accordance with the security phase decided by the Department of Safety and Security, as well as the proposal to replace the occasional recuperation break with rest and recuperation travel. The projected financial implications of these changes should be updated for presentation to the General Assembly at the time of its consideration of the issue. The Committee points out in this connection that, in addition to the costs foreseen in the report of the Secretary-General (see A/61/861, paras. 28 and 35), the change in the designation of 12 peace operations from non-family to family duty stations would in all likelihood lead to additional security costs.**

35. **The Advisory Committee is not convinced that the special operations approach for non-family missions is required. The Committee believes that the introduction of streamlined contractual arrangements, together with the elimination of mission-specific appointments and the granting of continuing appointments for staff working in peace operations and on projects, as well as its recommendations on conditions of service contained in paragraph 34 above, will address many of the issues that the special operations approach is intended to address. Furthermore, the Committee points out that the special operations approach involves administrative difficulties, as it would involve moving a large number of families to new duty stations. The Committee therefore recommends that the General Assembly defer consideration of the introduction of the special operations approach in order to allow sufficient time for the improvements associated with the implementation of streamlined contractual arrangements to take effect.**

36. **The Advisory Committee does not recommend the establishment of the proposed cadre of 2,500 career civilian peacekeepers, as many of the problems that this proposal was intended to address would be solved through the streamlining of contractual arrangements and the other recommendations in the foregoing paragraphs. With the introduction of a single United Nations contract and the elimination of mission-specific appointments, together with the possibility of consideration for continuing contracts, as proposed by the Committee in paragraph 15 above, the international staff of peace operations will become part of the global workforce, with the same mobility requirements and career development prospects as the rest of the Secretariat.**

III. Mobility

37. The Advisory Committee had before it three reports on the subject of mobility: the report of the Secretary-General on implementation of the mobility policy (A/62/215), which had been requested by the General Assembly in its resolution 61/244; the report of the Joint Inspection Unit on staff mobility in the United Nations (A/61/806), and the comments of the Secretary-General on the report of the Joint Inspection Unit (A/61/806/Add.1).

38. The Advisory Committee notes that the General Assembly, in section IV of its resolution 61/244, requested the Secretary-General to report to it at its sixty-third session on:

(a) The implemented phases of the mobility policy, along with projections for the envisaged remaining phases and an assessment of the relevant administrative and management issues;

(b) An analysis of the managed mobility programme, including information on financial implications and on its usefulness in improving organizational efficiency and addressing, inter alia, high vacancy rates.

The Assembly also decided, in the light of the experience of managed mobility, to review the enforcement of post-occupancy limits at its sixty-third session.

39. **In view of the requests made by the General Assembly for what appears to be a comprehensive report on matters relating to mobility, the Advisory Committee will confine itself in the present report to comments of a general nature concerning the information provided in the reports before it and to recommendations concerning issues that it believes should be addressed in the report to be submitted to the Assembly at its sixty-third session (see resolution 61/244, sect. IV).**

40. **The Advisory Committee has consistently supported the promotion of mobility of staff as a means to develop a more flexible and multi-skilled workforce. However, the Committee concurs with the Joint Inspection Unit that a strategic plan for mobility is essential (see A/61/806, para. 29). The Organization should have a detailed mobility programme. To that end, an analysis should be made of the Organization's needs to determine what type of skills are required and where. Similarly, a detailed inventory, by location, should be drawn up of staff skills and competencies. The Committee therefore requests that the upcoming report include such an analysis and a description of the resulting strategic plan.**

41. In the absence of a reasoned forecast of the financial implications of the implementation of the mobility policy, the Joint Inspection Unit has done its own analysis and estimates additional common staff costs per biennium to be in the range of $15 to $20 million. The Secretary-General asserts, in paragraph 31 of his comments (A/61/806/Add.1), that it is difficult to speculate about how much the programme will cost because, until the policy is fully implemented, it is not known how many staff will move from one duty station to another.

42. **The Advisory Committee will address the question of mobility in the context of its consideration of human resources management issues during the sixty-third session of the General Assembly.**

IV. Measures to address the imbalance in the geographical distribution of the staff in the Office of the United Nations High Commissioner for Human Rights

43. The report of the Secretary-General on measures to address the imbalance in the geographical distribution of the staff in the Office of the United Nations High Commission for Human Rights (OHCHR) (A/61/823) was submitted in response to section XVII, paragraph 2, of resolution 61/244, by which the Assembly requested the Secretary-General to present proposals to address the imbalance in the geographical distribution of the staff in the Office. As indicated in paragraph 22 of the report, a special action plan for achieving equitable geographical representation has been elaborated by the High Commissioner.[1] A number of measures are currently under implementation, including:

(a) Outreach activities to widen the pool of qualified candidates for the national competitive examination in human rights;

(b) Establishment of a mechanism to review the recruitment process for each vacancy prior to final selection so as to ensure that every effort has been made to identify and select qualified candidates from regions requiring improvement;

(c) Constitution of a mailing list of governmental institutions, non-governmental organizations and academic institutions willing to disseminate information on upcoming vacancies in OHCHR;

(d) Institution of a requirement that all chiefs of branch include geographical distribution targets among their goals for the branch under their supervision and regular monitoring of achievements in this regard by the Programme Support and Management Services of OHCHR.

The Secretary-General reports that these efforts have begun to show positive results since the procedures were instituted in late September 2006 (see A/61/823, para. 19).

44. Proposed additional measures include the following:

(a) The funding of consultants in the field of human rights to assist in marking the 2008 national competitive examination in human rights, which is expected to significantly reduce the time required to place successful candidates on the roster;

(b) The placement of national competitive examination candidates against regular budget and extrabudgetary posts. In the latter case, the recruiting department must undertake to absorb the staff recruited against extrabudgetary posts, which are not subject to the system of desirable ranges, in the event that the funding for the original post is exhausted;

(c) Use of staff-exchange mechanisms, such as existing agreements on inter-agency transfers and secondments, as a means for the Office to avail itself of the services of individuals from unrepresented and underrepresented countries;

(d) Careful consideration to geographical balance among associate experts.

[1] See E/CN.4/2006/103.

45. As indicated in paragraph 8 of the report of the Secretary-General, in section III, paragraph 1, of its resolution 61/244, the General Assembly qualified the language of its prior resolutions, by which it had provided that appointment to posts at the P-1 and P-2 levels should be made *exclusively* through competitive examinations. Resolution 61/244 provides that national competitive examinations are the source of recruitment for P-2 posts *subject to geographical distribution* in order to reduce non-representation and underrepresentation of Member States in the Secretariat (emphasis added). Such a qualification would permit recruitment at the P-2 level outside the national competitive examination for posts other than those subject to geographical distribution, of which there are a significant number in OHCHR. Amendments to staff rule 104.15, bringing it into line with resolution 61/244, are contained in the annex to the report of the Secretary-General.

46. **The Advisory Committee recommends that the General Assembly take note of the report of the Secretary-General and request the Secretary-General to provide a progress report on the results of the implementation of measures to address the imbalance in the geographical representation of staff in the Office of the United Nations High Commissioner for Human Rights, in the context of his report on human resources management to be submitted to the Assembly at its sixty-third session.**

V. Amendments to the Staff Rules

47. Consistent with staff regulation 12.3, the report of the Secretary-General on amendments to the Staff Rules (A/62/185) contains the full text of new rules and amendments to existing rules that the Secretary-General proposes to implement as from 1 January 2008, as well as the rationale for the amendments. Upon request, the Advisory Committee was provided with a comparative chart showing the previous text of the rules and the amendments. That chart should be provided to the General Assembly for its consideration of the report of the Secretary-General.

48. The Advisory Committee notes that rules 105.3 (d) (iii) and 205.2 (c) have been amended to provide that staff members should be able to travel to a country other than the country of their nationality for home leave if they have close family or personal ties in that country. **In the Committee's view, the notion of "close family or personal ties" should be precisely defined.**

49. **The Advisory Committee recommends that the General Assembly take note of the report of the Secretary-General.**

VI. Recruitment and staffing

50. **In the Advisory Committee's view, the complex issues of recruitment and staffing should be taken up in 2008, a non-budget year, so that the General Assembly will have more time to devote to them (see para. 2 above). In the paragraphs below, the Committee has, however, flagged a number of issues raised in the report of the Secretary-General on recruitment and staffing (A/61/822) and recommended that the Assembly request the Secretary-General to submit a follow-up report addressing those issues to the Assembly at its sixty-third session.**

51. The report of the Secretary-General was submitted pursuant to section II, paragraphs 4, 10 and 13, of resolution 61/244, in which the Assembly requested the Secretary-General to report to it on matters pertaining to the development of an induction and training programme for the members of central review bodies, the efforts made to reduce the period required to fill vacancies and the use of pre-screened rosters.

52. As noted in section II of the report of the Secretary-General, several steps have been taken to ensure continuous improvement of the work of the central review bodies. New central review body members at all duty stations receive basic orientation and induction training, which is conducted by the Office of Human Resources Management or the human resources office at the duty station. A briefing module on the role of the central review bodies has been developed by the Office of Human Resources Management and distributed to all offices away from Headquarters for the training of members of such bodies. In addition, an online questionnaire was developed and distributed to all members of central review bodies at all duty stations to elicit feedback on training and to assess further training needs. The next steps will include the development of a new version of the guidelines for central review bodies in the staff selection system.

53. As indicated in paragraph 19 of the report, it currently takes 174 days on average to fill a vacancy. Factors affecting the duration of the process include the complexity of policies and procedures, the large number of applications, the shortcomings of the e-staffing support tool, lack of familiarity of programme managers with policies, procedures and the electronic tool, and background checks and administrative clearances of candidates. Efforts undertaken to reduce the period required to fill vacancies have included the development of generic job profiles and standardization of competency and qualification requirements in order to reduce the time spent by managers on the selection process and decrease the rate of cases being returned from the central review bodies to managers. In addition, generic vacancy announcements have been developed in both English and French, reducing delays relating to translation. A review of business processes is also currently under way in preparation for the introduction of a new e-staffing tool and the new enterprise resource planning system. Plans for the future include the introduction of workforce planning and the use of pre-screened rosters as the primary instrument for recruitment and placement.

54. The Advisory Committee notes, in this connection, the efforts that have been made by the United Nations Office at Vienna to reduce recruitment time (see A/62/7, para. VIII.85). The average number of days a Professional post remained vacant in the biennium 2004-2005 was 115, the estimated average for 2006-2007 is 110 and the target set for 2008-2009 is 93. The measures that have enabled the Office to achieve such improvements include: (a) projection of recruitment requirements six months in advance and advertisement of vacancies in advance, subject to budgetary approval; (b) succession planning, whereby posts are advertised six to nine months in advance of retirements; (c) provision of regular training for members of central review bodies, which has resulted in a turnaround time of 48 hours for approving evaluation criteria; (d) generation of translations of vacancy announcements into French within five working days; (e) routine release of applicants for all positions at appropriate time marks (days 16, 31 and 61); and an online vacancy monitoring tool. **The Advisory Committee reiterates the recommendation it made in its first report on the proposed programme budget**

for the biennium 2008-2009 that the lessons learned from the experience of the United Nations Office at Vienna should be applied elsewhere (see A/62/7, para. 37) and recommends that the General Assembly request the Secretary-General to report thereon to the Assembly at its sixty-third session.

55. In his report, the Secretary-General elaborates on the proposal contained in the report on investing in people (see A/61/255, paras. 76-79) to use pre-screened rosters as the primary instrument for recruitment, placement and promotion throughout the Secretariat. Under this proposal, generic vacancy announcements would be issued based on strategic workforce planning and circulated for 60 days. The personal history forms would be redesigned to enable the electronic screening of applicants. Substantive screening of candidates would be carried out by expert groups in particular occupational areas. The central review bodies would continue to ensure that the process was properly followed prior to the placement of candidates on the roster. Following endorsement by a central review body, candidates would be administratively cleared before being placed on a roster. The rosters would also include candidates who had succeeded in a competitive examination. When a vacancy arises, the head of department or office would be able to make a selection from a roster.

56. The Advisory Committee has consistently supported the concept of rosters as a means of expediting the staff selection process. It notes with concern, however, that the current technology supporting the Galaxy e-staffing system does not allow for the management of rosters (A/61/822, para. 24), though rosters were to be an integral part of the staff selection system as set out in administrative instructions ST/AI/2002/4 and ST/AI/2006/3. The Committee has commented on this issue in the past, noting with concern that the staff selection system was put into place in 2002 without an adequate means of handling the rosters that were to be a part of it (see A/60/7, para. 66). The replacement of Galaxy is discussed in the report of the Secretary-General (A/61/822, paras. 23-25), but a timetable is not provided. **It appears to the Committee that until the Galaxy system is replaced, the usefulness of pre-screened rosters will be limited. The Committee therefore recommends that the General Assembly request the Secretary-General to report to it at its sixty-third session on progress with regard to both the replacement of the e-staffing tool and the implementation of pre-screened rosters.**

57. **The Advisory Committee welcomes the emphasis placed by the Secretary-General on strategic workforce planning to identify the Organization's staffing needs. As indicated in paragraph 44 of his report, such planning takes into account new mandates, retirements, gaps in skills, new posts, upcoming post occupancy limits and the geography and gender profile of the Organization. The Committee recommends that the General Assembly request the Secretary-General to provide a detailed report at the sixty-third session on progress achieved and problems encountered in the strategic workforce planning process.**

58. **The Advisory Committee believes that many of the problems that the Organization has encountered in expeditiously recruiting and retaining qualified, high-calibre individuals stem from its overly complex staff selection system.** In this connection, the Committee recalls that during its consideration of the Secretary-General's proposal for a new system of administration of justice, it was

informed that a large percentage of the cases processed by the Panel of Counsel and the Office of the Ombudsman related to staff selection and promotion issues (see A/62/7/Add.7, annex VI). **In the Committee's opinion, the time has come to take a hard look at the current system with a view to simplifying it and making it more transparent, as well as to holding programme managers accountable. The Committee has made a number of concrete suggestions in this regard in the past (see, for example, A/60/7, paras. 62-68; A/61/537, paras. 12-29; and A/62/7, para. VIII.85). In this connection, the Committee looks forward to the report to be submitted to the General Assembly pursuant to section II, paragraph 5, of its resolution 61/244 and trusts that its concerns will be addressed therein.**

VII. Activities of the Ethics Office

59. The report of the Secretary-General on the activities of the Ethics Office (A/62/285) was submitted in response to paragraph 16 (i) of General Assembly resolution 60/254. The report covers the 12-month period from 1 August 2006 to 31 July 2007, which marked the first full operation cycle of the Ethics Office. As noted in paragraph 8 of the report, the Office received 287 requests for services, representing a slight increase in the monthly average of such requests, based on 153 requests for the seven-month period from January to July 2006. Requests for services fell into the following categories: ethics advice (57 per cent); protection against retaliation for reporting misconduct (18 per cent); general information (11 per cent); training (12 per cent); and others (2 per cent). As noted in paragraph 9 of the report, requests for services came from diverse geographical locations and groupings and from staff at different levels across the Secretariat.

60. Section III of the report describes the activities of the Ethics Office in standard-setting; training, education and outreach; provision of advice and guidance; and administration of the financial disclosure programme. With regard to the latter, the Advisory Committee notes that a total of 1,704 staff members were required to file a financial disclosure or declaration of interest statement for the 2005 filing period. A total of 1,670, or 98 per cent, complied. Of the cases reviewed by an external financial firm (PricewaterhouseCoopers LLP), 17, or 1 per cent, were identified as having a potential conflict of interest. In relation to these 17 cases, 14 staff members accepted the advice of PricewaterhouseCoopers regarding the appropriate compliance arrangements in order to address the potential conflict, while 3 cases were referred to the Ethics Office for final resolution owing to a disagreement between the staff member and PricewaterhouseCoopers (see A/62/285, para. 41).

61. The Ethics Office is currently in the process of conducting a review to determine whether financial disclosure statements should be required of officials other than Secretariat officials and experts on mission with a fiduciary role (see A/62/285, para. 51; see also sect. X below).

62. As indicated in paragraph 61 of the report, the current contractual arrangements with PricewaterhouseCoopers are due to terminate in October 2009, at which time the possibility would be explored of the Ethics Office taking over direct responsibility for the review. **In its consideration of the proposed programme budget for the biennium 2008-2009, the Advisory Committee recommended that the General Assembly request the Secretary-General to conduct an in-depth**

analysis by the end of the biennium 2008-2009 of the relative advantages and disadvantages, including costs, of conducting the review in-house as compared to the current outsourcing arrangements (see A/62/7, para. I.17).

63. The Advisory Committee notes that in response to its request that the Secretary-General describe the various ethics activities carried out by different organizational entities within the Secretariat, laying out a plan for coordination among them and exploring the possibility for redeployment of resources to the Ethics Office, if needed (see A/60/7/Add.13, para. 25), the Secretary-General has indicated that the Office has carried out a preliminary survey of such activities and that a compilation of ethics-related activities was being developed. In this connection, the Advisory Committee reiterates that many such activities are already carried out in different parts of the Secretariat, including the Executive Office of the Secretary-General, the Office of Human Resources Management, the Office of Internal Oversight Services, the Office of Legal Affairs and the Department of Peacekeeping Operations. **With a view to avoiding duplication and fostering coordination, the Committee therefore recommends that the General Assembly request the Secretary-General to expedite the completion of the above-mentioned compilation of ethics-related activities being undertaken by different departments/offices and entities and to report thereon at the sixty-third session. As the Committee had requested earlier (see A/60/7/Add.13, para. 25), the report should lay out a plan for coordination among the various entities, exploring the possibility for redeployment of resources to the Ethics Office, if needed.**

64. In paragraph 73 of his report, the Secretary-General states that, while the main responsibilities of the Ethics Office have been clearly set out in his bulletin ST/SGB/2005/22, its jurisdiction is not system-wide.[2] He therefore suggests that the General Assembly may wish to consider broadening the jurisdiction of the Ethics Office to cover all United Nations system entities and to provide further guidance on this matter. **In the view of the Advisory Committee, it would first be necessary for the Assembly to consider whether other United Nations entities, such as funds and programmes, should have common ethics policies and standards and, if so, whether they should be centrally or separately administered. Accordingly, the Committee recommends against broadening the jurisdiction of the Ethics Office at this time.**

VIII. Practice of the Secretary-General in disciplinary matters and possible criminal behaviour, 1 July 2006 to 30 June 2007

65. The report of the Secretary-General on the practice of the Secretary-General in disciplinary matters and possible criminal behaviour, 1 July 2006 to 30 June 2007 (A/62/186), was submitted in response to paragraph 16 of General Assembly resolution 59/287, in which the Assembly, inter alia, requested the Secretary-General to inform Member States on an annual basis about all actions taken in cases

[2] Upon enquiry, the Advisory Committee was informed that the jurisdiction of the Ethics Office was limited to the United Nations Secretariat as defined in Secretary-General's bulletin ST/SGB/1997/5.

of proven misconduct and/or criminal behaviour. The report provides a broad overview of the administrative machinery in disciplinary matters, a summary of the cases for which a disciplinary measure was imposed by the Secretary-General during the reporting period, comparative data and figures reflecting the disposition of all cases that were completed during the reporting period and information on the practice of the Secretary-General in cases of possible criminal behaviour.

66. The Secretary-General indicated in paragraph 2 of his report that, in response to paragraph 17 of resolution 59/287, an information circular was being be issued to inform staff of the most common examples of misconduct and/or criminal behaviour and their disciplinary consequences, including any legal action, with due regard to the protection of the privacy of the staff members concerned. Upon enquiry, the Advisory Committee was informed that the circular was under preparation and would be issued in the coming weeks.

67. The Advisory Committee recommends that the General Assembly take note of the report of the Secretary-General.

IX. Special measures for protection from sexual exploitation and sexual abuse

68. The report of the Secretary-General on special measures for protection from sexual exploitation and sexual abuse (A/61/957) was submitted in compliance with General Assembly resolution 57/306, in which the Assembly requested the Secretary-General to maintain data on investigations into sexual exploitation and related offences in the United Nations system. The report includes information provided by 41 United Nations entities on allegations reported in 2006.

69. The Advisory Committee notes, as indicated in section III of the report, that the total number of allegations remained relatively constant, with 371 reported in 2006, as compared with 373 in 2005. The majority of allegations, or 357 of the total of 371, relate to personnel of the Department of Peacekeeping Operations. This figure represents an increase of 5 per cent; however, as indicated in paragraph 13 of the report, peacekeeping personnel increased by 14 per cent during the period. The largest numbers of allegations were reported by the United Nations Organization Mission in the Democratic Republic of the Congo, the United Nations Mission in Liberia and the United Nations Stabilization Mission in Haiti, with 176, 71 and 48 allegations, respectively. The Secretary-General points out that the increase can be partly attributed to better reporting mechanisms, as this period coincided with the creation of dedicated conduct and discipline teams, the establishment of resident Office of Internal Oversight Services offices in a number of peacekeeping operations, strengthened coordination of reporting mechanisms and the implementation of the comprehensive strategy of the Department of Peacekeeping Operations to address sexual exploitation and abuse.

70. **The Advisory Committee welcomes the progress reported by the Secretary-General in strengthening measures for protection from sexual exploitation and sexual abuse (see A/61/957, sect. IV). The Committee recommends that the General Assembly take note of the report of the Secretary-General.**

X. Implementation of the Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials and Experts on Mission

71. The report of the Secretary-General on implementation of the Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials and Experts on Mission (A/61/1029) was submitted in response to the request of the General Assembly in its resolutions 60/238 and 61/244. The Regulations were adopted by the Assembly in its resolution 56/280 and promulgated by the Secretary-General in his bulletin ST/SGB/2002/9. The report of the Secretary-General provides background on privileges and immunities and describes cases of waiver of immunity. It also discusses the applicability of the financial disclosure requirement to officials other than Secretariat officials and experts on mission.

72. As indicated in paragraphs 19 and 20 of the report, regulation 2 (i) provides that officials and experts on mission shall file financial disclosure statements if requested to do so by the Secretary-General. The Ethics Office, which is responsible for implementing the financial disclosure programmes, is in the process of conducting a review to determine whether such statements should be required of officials and experts on mission with a fiduciary role (see also A/62/285, para. 51). As noted in paragraph 20 of the report, given the policy-setting or oversight roles and the independence of the bodies and status of the members involved, careful consideration will be given to the need for an appropriate financial disclosure system for such individuals.

73. The Advisory Committee notes that the issue of criminal accountability of officials and experts on mission is currently before the General Assembly.

74. **The Advisory Committee recommends that the General Assembly take note of the report of the Secretary-General.**

Annex

Sample comparison of compensation packages

A. Non-family duty station under United Nations peacekeeping, standard evacuation and special operations approach models

Duty station: Bujumbura

Grade level: P-5/1

Marital status: Married

Dependent spouse: Yes

Dependent children: Two

(United States dollars)

	Current models				*Proposed model*
	Department of Peacekeeping Operations special peacekeeping mission model			*Regular duty station model*	*Special operations approach*
	100-series staff member on detail from New York Headquarters	*100-series staff mission appointee*	*300-series mission appointee (P-5/A)*	*100-series family duty station in evacuation status (entitlement duty station: Bujumbura)*	*100-series special operations approach (administrative place of assignment duty station: Nairobi)*
Recurrent payments					
Net salary	79 628	79 628	73 975	79 628	79 628
Post adjustment	51 758	0	0	34 479	31 453
Mission subsistence allowance	44 880	44 880	44 880	0	0
Special operations living allowance	0	0	0	0	44 880
Dependency allowance	3 560	3 560	0	3 560	3 560
Service allowance, including family element	0	0	14 676	0	0
Hazard pay	0	0	0	0	0
Mobility and hardship allowance, including non-removal element (non-removal element for Headquarters only: mobility and hardship level D-1 for Bujumbura; mobility and hardship level C-1 for Nairobi)	2 500	0	0	17 620	14 380
Education grant (2 children at maximum $13,536 per child)	27 072	27 072	0	27 072	27 072

	Current models				*Proposed model*
	Department of Peacekeeping Operations special peacekeeping mission model			*Regular duty station model*	*Special operations approach*
	100-series staff member on detail from New York Headquarters	*100-series staff mission appointee*	*300-series mission appointee (P-5/A)*	*100-series family duty station in evacuation status (entitlement duty station: Bujumbura)*	*100-series special operations approach (administrative place of assignment duty station: Nairobi)*
Rest and recuperation travel (6 trips per year at $500 per trip)	0	0	0	0	3 000
Rental subsidy (rent: $3,700 in New York, rental subsidy threshold 26 per cent; $2,500 per month; rental subsidy threshold 18 per cent for Nairobi; $7,500 per month, rental subsidy threshold 15 per cent for Bujumbura)	8 192	0	0	707	8 004
Extended monthly evacuation allowance (based on dependants in Nairobi)	0	0	0	21 595	0
Subtotal	**217 590**	**155 140**	**133 531**	**184 661**	**211 977**
One-time payments					
Assignment grant					
Daily subsistence allowance portion	0	0	0	6 060	15 150
Lump-sum portion	0	0	0	9 509	9 257
Lump-sum in lieu of shipment of personal effects					
100 kg entitlement	1 200	1 200	1 200	0	0
2 100 kg entitlement	0	0	0	15 000	15 000
Initial travel					
Staff member	4 000	4 000	4 000	4 000	4 000
Spouse and two children: ($3,500 per person)	0	0	0	0	10 500
Subtotal	**1 200**	**1 200**	**1 200**	**30 569**	**39 407**
Total	**218 790**	**156 340**	**134 731**	**215 230**	**251 384**

B. Staff assigned from Headquarters and mission staff appointed to an established family duty station[a]

Mission: UNIFIL

Duty station: Tyre

Contract type: 100-series

Grade/step: P-5/1

Marital status: Married

Dependent spouse: Yes

Dependent children: Two

(United States dollars)

	100-series staff member on assignment from New York Headquarters	*100-series mission appointee*
Recurring payments		
Net salary	79 628	79 628
Post adjustment (43.5)	34 638	34 638
Dependency allowance	3 560	3 560
Mobility and hardship allowance	17 620	17 620
Hazard pay ($1,300 per month)	15 600	15 600
Education grant (2 children maximum $13,536 per child)	27 072	27 072
Subtotal	**178 118**	**178 118**
One-time payments		
Assignment grant	17 847	17 847
Lump-sum option in lieu of shipment of personal effects	15 000	15 000
Subtotal	**32 847**	**32 847**
Total	**210 965**	**210 965**

[a] Note: Staff members on assignment from Headquarters to a family mission change their official duty station but retain a lien against their post at Headquarters.